

DISTRICT OF COLUMBIA
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ALCOHOLIC BEVERAGE CONTROL BOARD
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MEETING

IN THE MATTER OF:

Ballances Columbia Restaurant	
t/a Millie's and Al's	Show Cause
Ballances Columbia	Hearing
2440 18th Street, NW	(Status)
Retailer CT - ANC-1C	
License No. 460	
Case #14-AUD-00007	

(Failed to Maintain Books &
Records, Failed to
Demonstrate the Requirements
of a CR License)

May 21, 2014

The Alcoholic Beverage Control
Board met in the Alcoholic Beverage Control
Hearing Room, Reeves Building, 2000 14th
Street, N.W., Suite 400S, Washington, D.C.
20009, Chairperson Ruthanne Miller, presiding.

PRESENT:

RUTHANNE MILLER, Chairperson
NICK ALBERTI, Member
DONALD BROOKS, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

ALSO PRESENT:

LOUISE PHILLIPS, OAG

P-R-O-C-E-E-D-I-N-G-S

(9:38 a.m.)

CHAIRPERSON MILLER: The next case on the morning calendar is Case No. 14-AUD-00007, Millie's and Al's Ballances Columbia Restaurant located at 2440 18th Street, N.W., License No. 460.

MS. PHILLIPS: Good morning, Madam Chair, Board Members. Louise Phillips, Assistant Attorney General, for the District of Columbia.

CHAIRPERSON MILLER: Good morning.

MS. SHAPIRO: Good morning.

CHAIRPERSON MILLER: If you would identify yourself?

MS. SHAPIRO: Barbara Shapiro.

CHAIRPERSON MILLER: Okay. And you are? You're Barbara Shapiro and what's your relation?

MS. SHAPIRO: Owner of Millie's and Al's.

CHAIRPERSON MILLER: Okay. And I

1 just need to ask if you have received notice
2 of this Status Hearing?

3 MS. SHAPIRO: Yes.

4 CHAIRPERSON MILLER: And did you
5 read it and understand it?

6 MS. SHAPIRO: Yes.

7 CHAIRPERSON MILLER: Okay. So
8 that notice is going to be a part of this
9 record.

10 (Whereupon, the document was
11 marked for identification as
12 Exhibit 1 and was received in
13 evidence.)

14 CHAIRPERSON MILLER: Ms. Phillips,
15 do we have any preliminary matters?

16 MS. PHILLIPS: Ms. Gephardt was
17 unable to speak with Mr. -- Ms. Shapiro.
18 However, this case is going to be resolved
19 with a warning, so a conversation may not be
20 necessary, because most people will accept the
21 warning rather than a fine. So -- and
22 dismissal of Count 2.

1 CHAIRPERSON MILLER: Okay.

2 MS. SHAPIRO: So does that mean I
3 don't have to come for the -- that's it?

4 CHAIRPERSON MILLER: That would be
5 it.

6 MS. SHAPIRO: Okay.

7 CHAIRPERSON MILLER: If you -- I
8 mean, the second count charge is being
9 dismissed.

10 MS. SHAPIRO: Right.

11 CHAIRPERSON MILLER: The first
12 charge is being resolved. Ms. Phillips is
13 saying that it should be just a warning. And
14 if you are acceptable to that, we will, the
15 Board will, make a motion accepting that.

16 MS. SHAPIRO: Yes.

17 CHAIRPERSON MILLER: Okay.

18 MS. SHAPIRO: Absolutely, ma'am.

19 CHAIRPERSON MILLER: All right.
20 And I just have to ask you this. That means
21 that you waive your right to a hearing?

22 MS. SHAPIRO: Yeah.

1 CHAIRPERSON MILLER: Okay.

2 MS. SHAPIRO: I don't think I need
3 to pursue.

4 CHAIRPERSON MILLER: Okay. So I
5 would move that we issue a warning on -- is
6 that in the nature of an offer in compromise?
7 Ms. Phillips, it sounds like she accepted.

8 MS. PHILLIPS: Once I get a
9 notice, I think it is in the nature of an
10 offer in compromise. I understand that you
11 are not sending those cases over any more,
12 but, you know, once they get to me it really
13 is an offer in compromise.

14 CHAIRPERSON MILLER: Okay.

15 MS. PHILLIPS: So it gets on the
16 record appropriately.

17 CHAIRPERSON MILLER: Okay. And
18 she has just agreed to that. Okay. So I move
19 that then we accept this offer in compromise
20 of a warning on Charge 1 and dismissal of
21 Charge 2.

22 MEMBER RODRIGUEZ: Second.

1 CHAIRPERSON MILLER: And Mr.
2 Rodriguez has seconded the motion.

3 All those in favor say aye.

4 ALL: Aye.

5 CHAIRPERSON MILLER: All those
6 opposed? All those abstaining? The motion
7 passes 6-0-0.

8 MS. SHAPIRO: Will I get that in
9 the mail as well?

10 CHAIRPERSON MILLER: If you just
11 wait a few minutes --

12 MS. SHAPIRO: Oh, okay.

13 CHAIRPERSON MILLER: -- you're
14 going to be handed something.

15 MS. SHAPIRO: Okay.

16 CHAIRPERSON MILLER: Um-hum.

17 MS. SHAPIRO: Yes, thank you.

18 CHAIRPERSON MILLER: Okay. Thank
19 you. That concludes this case.

20 (Whereupon, the Show Cause
21 (Status) Hearing in the above-entitled matter
22 was concluded at 9:41 a.m.)

<p>A</p> <p>a.m 2:2 6:22</p> <p>above-entitled 6:21</p> <p>Absolutely 4:18</p> <p>abstaining 6:6</p> <p>accept 3:20 5:19</p> <p>acceptable 4:14</p> <p>accepted 5:7</p> <p>accepting 4:15</p> <p>agreed 5:18</p> <p>Al's 1:6 2:5,21</p> <p>ALBERTI 1:18</p> <p>Alcoholic 1:2,13,14</p> <p>ANC-1C 1:7</p> <p>appropriately 5:16</p> <p>Assistant 2:10</p> <p>Attorney 2:10</p> <p>aye 6:3,4</p>	<p>compromise 5:6,10 5:13,19</p> <p>concluded 6:22</p> <p>concludes 6:19</p> <p>Control 1:2,13,14</p> <p>conversation 3:19</p> <p>count 3:22 4:8</p> <p>CR 1:11</p> <p>CT 1:7</p> <p>D</p> <p>D.C 1:15</p> <p>Demonstrate 1:10</p> <p>dismissal 3:22 5:20</p> <p>dismissed 4:9</p> <p>District 1:1 2:10</p> <p>document 3:10</p> <p>DONALD 1:18</p> <p>E</p> <p>evidence 3:13</p> <p>Exhibit 3:12</p> <p>F</p> <p>Failed 1:9,10</p> <p>favor 6:3</p> <p>fine 3:21</p> <p>first 4:11</p> <p>G</p> <p>General 2:10</p> <p>Gephardt 3:16</p> <p>going 3:8,18 6:14</p> <p>Good 2:8,12,13</p> <p>H</p> <p>handed 6:14</p> <p>hearing 1:6,14 3:2 4:21 6:21</p> <p>HECTOR 1:19</p> <p>I</p> <p>identification 3:11</p> <p>identify 2:15</p> <p>issue 5:5</p> <p>J</p> <p>JAMES 1:20</p>	<p>K</p> <p>know 5:12</p> <p>L</p> <p>License 1:8,11 2:7</p> <p>located 2:6</p> <p>Louise 1:22 2:9</p> <p>M</p> <p>ma'am 4:18</p> <p>Madam 2:8</p> <p>mail 6:9</p> <p>Maintain 1:9</p> <p>marked 3:11</p> <p>matter 1:4 6:21</p> <p>matters 3:15</p> <p>mean 4:2,8</p> <p>means 4:20</p> <p>MEETING 1:3</p> <p>Member 1:18,18,19 1:19,20 5:22</p> <p>Members 2:9</p> <p>met 1:14</p> <p>MIKE 1:19</p> <p>Miller 1:15,17 2:3 2:12,14,17,22 3:4 3:7,14 4:1,4,7,11 4:17,19 5:1,4,14 5:17 6:1,5,10,13 6:16,18</p> <p>Millie's 1:6 2:5,20</p> <p>minutes 6:11</p> <p>morning 2:4,8,12 2:13</p> <p>motion 4:15 6:2,6</p> <p>move 5:5,18</p> <p>N</p> <p>N.W 1:15 2:6</p> <p>nature 5:6,9</p> <p>necessary 3:20</p> <p>need 3:1 5:2</p> <p>NICK 1:18</p> <p>notice 3:1,8 5:9</p> <p>NW 1:7</p> <p>O</p>	<p>OAG 1:22</p> <p>offer 5:6,10,13,19</p> <p>Oh 6:12</p> <p>okay 2:17,22 3:7 4:1,6,17 5:1,4,14 5:17,18 6:12,15 6:18</p> <p>once 5:8,12</p> <p>opposed 6:6</p> <p>Owner 2:20</p> <p>P</p> <p>P-R-O-C-E-E-D-... 2:1</p> <p>part 3:8</p> <p>passes 6:7</p> <p>people 3:20</p> <p>Phillips 1:22 2:8,9 3:14,16 4:12 5:7,8 5:15</p> <p>preliminary 3:15</p> <p>PRESENT 1:16,21</p> <p>presiding 1:15</p> <p>pursue 5:3</p> <p>Q</p> <p>R</p> <p>read 3:5</p> <p>really 5:12</p> <p>received 3:1,12</p> <p>record 3:9 5:16</p> <p>Records 1:10</p> <p>Reeves 1:14</p> <p>relation 2:19</p> <p>Requirements 1:10</p> <p>resolved 3:18 4:12</p> <p>Restaurant 1:5 2:6</p> <p>Retailer 1:7</p> <p>right 4:10,19,21</p> <p>Rodriguez 1:19 5:22 6:2</p> <p>Room 1:14</p> <p>Ruthanne 1:15,17</p> <p>S</p> <p>saying 4:13</p>	<p>second 4:8 5:22</p> <p>seconded 6:2</p> <p>sending 5:11</p> <p>Shapiro 2:13,16,16 2:18,20 3:3,6,17 4:2,6,10,16,18,22 5:2 6:8,12,15,17</p> <p>SHORT 1:20</p> <p>Show 1:6 6:20</p> <p>SILVERSTEIN 1:19</p> <p>sounds 5:7</p> <p>speak 3:17</p> <p>Status 1:7 3:2 6:21</p> <p>Street 1:7,15 2:6</p> <p>Suite 1:15</p> <p>T</p> <p>t/a 1:6</p> <p>thank 6:17,18</p> <p>think 5:2,9</p> <p>U</p> <p>Um-hum 6:16</p> <p>unable 3:17</p> <p>understand 3:5 5:10</p> <p>V</p> <p>W</p> <p>wait 6:11</p> <p>waive 4:21</p> <p>warning 3:19,21 4:13 5:5,20</p> <p>Washington 1:15</p> <p>X</p> <p>Y</p> <p>Yeah 4:22</p> <p>Z</p> <p>0</p> <p>00007 2:5</p> <p>1</p>
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20009 1:15
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